

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

UNITED STATES OF AMERICA

v.

ADRIAN GIL, II

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EP-22-CR-773-DB

SCHEDULING ORDER

On this day, the Court considered the instant case. On November 10, 2022, Mr. Adrian Gil (“Mr. Gil”) entered a guilty plea pursuant to Title 18 U.S.C. §§ 922(g)(3) and 924(a)(2). On February 26, 2023, Mr. Gil filed a “Motion to Withdraw his Guilty Plea and Dismiss Indictment,” on the basis of (1) a facial and (2) an as-applied challenge to 18 U.S.C. § 922(g)(3). ECF No. 39. The Court denied his motion on July 5, 2023, ECF No. 44, and sentenced Mr. Gil to 35 months of imprisonment and three years of supervised release on July 19, 2023, ECF No. 46.

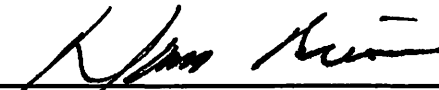
Mr. Gil filed a “Notice of Appeal” on July 21, 2023. ECF No. 48. On May 15, 2024, the Fifth Circuit vacated and remanded Mr. Gil’s as-applied challenge, in light of *United States v. Daniels*, 77 F.4th 337 (5th Cir. 2023). *United States v. Gil*, No. 23-50525 (5th Cir. May 15, 2024). On May 16, 2024, the Court issued a scheduling order. ECF No. 67. On May 28, 2024 the Government moved to vacate the scheduling order until the United States Supreme Court decided *United States v. Rahimi*, No. 22-915, ECF No. 68, which the Court granted, ECF No. 69. On June 21, 2024, the United States Supreme Court reached its decision in *United States v. Rahimi*, No. 22-915. Thus, the Court is of the opinion that the following orders should enter:

IT IS HEREBY ORDERED that the Government file a brief on or before July 8, 2024.

IT IS FURTHER ORDERED that Attorney Matthew DeKoatz file a response on or before July 15, 2024.

IT IS FINALLY ORDERED that the parties are prohibited from filing additional briefs without leave of the Court.

SIGNED this 21ST day of **June 2024**.



THE HONORABLE DAVID BRIONES
SENIOR UNITED STATES DISTRICT JUDGE